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MAIL

MAY 12 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of:
James L. Warmus, et al.
Application No. 10/755,743
Filed: January 12, 2004
For: IMPOSITION PROCESS AND APPARATUS
FOR VARIABLE IMAGING SYSTEM

DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the petition filed April 1, 2004 under Manual of Patent Examination Procedure §708.02, VIII requesting accelerated examination.

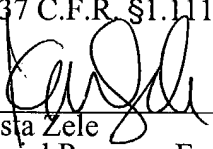
The petition under Manual of Patent Examination Procedure §708.02, VIII, must:

- (1) be filed prior to receiving any examination by the examiner,
- (2) be accompanied by the required fee- \$130,
- (3) the claims should be directed to a single invention (if it is determined that the claims pertain to more than one invention, then applicant will have to make an election without traverse or forfeit accelerated examination status),
- (4) state that a pre-examination search was made, and fully discuss the search method employed, such as classes and subclasses searched, publications, Chemical abstracts, patents, etc. A search made by a foreign patent office satisfies this requirement,
- (5) be accompanied by a copy of each of the references most closely related to the subject matter encompassed by the claims if said references are not already of record,
- (6) fully discuss the references, pointing out with the particularity required by 37 C.F.R. §1.111(b) and (c), how the claimed subject matter is patentable over the references.

The petition fails to meet requirements (5) and (6). The Information Disclosure Statement (IDS) filed February 2, 2004 fails to provide a copy of each reference. Currently there are no copies of any cited prior art of record in this application. In accordance with MPEP 708.02, each application must meet its own requirements for special status. Therefore copies of relevant references having been provided in related cases is not sufficient. Furthermore, petitioner fails to fully discuss each reference, pointing out with particularity how the claimed subject matter is patentable over each reference. Generic references such as "none of the prior art" fails to meet this requirement.

Accordingly, the petition is **DENIED**.

Petitioner may submit a request for reconsideration within **TWO MONTHS** of the date of this decision. Any request for reconsideration should include a copy of each of the references most closely related to the subject matter encompassed by the claims. Also, the request for reconsideration should fully discuss the references, pointing out with the particularity required by 37 C.F.R. §1.111(b) and (c), how the claimed subject matter is patentable over the references.


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